

REMARKS

Claims 37-71 are pending in the present application. Claims 65-69 have been objected to. Various claims have been rejected based on the prior art and/or a double patenting rejection. Various claims would be allowable is rewritten in independent form.

IDS

Two electronic IDS' were submitted on 2/25/04, but only one was considered. Applicants therefore request that both IDS' be considered by the examiner. For the examiner's convenience, a copy of the list submitted is attached.

Claim Objections

The examiner has objected to claims 66-69 for having improper antecedent basis for "the gain control signal." In response to the objection, independent claim 64 has been amended to add "using a gain control signal" on line 5, and to replace "of the variable gain amplifier" with "control signal" on line 8. These amendments to claim 64 were made not made to distinguish prior art. Note that other amendments were also made to claim 64 in order to rewrite allowable claim 65 in independent form.

Double patenting Rejection

A terminal disclaimer and the associated fee are included with this Amendment to overcome the double patenting rejection.

Prior Art Rejections

Allowable claim 38 has been rewritten as amended independent claim 37. Amended claim 37 is therefore believed to be allowable.

Independent claim 53 has been amended to include the limitations of dependent claims 54 and 58. Claim 53 has also been amended to recite "wherein the gain control signal is related to

the output of the variable gain amplifier." It is believed that the cited prior art does not teach or suggest the method recited in amended claim 53.


Allowable claim 65 has been rewritten as amended independent claim 64. Amended claim 64 is therefore believed to be allowable. Note that claim 64 was separately amended to overcome the examiner's rejection relating to improper antecedent basis.

Conclusion

It is respectfully submitted that all claims are patentable over the prior art. It is further more respectfully submitted that all other matters have been addressed and remedied and that the application is in form for allowance. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Bruce A. Johnson, Applicants' Attorney at 512-301-9900 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

1-24-05
Date


Bruce A. Johnson
Reg. No. 37361
Attorney for Applicant(s)

Customer Number 30163
Bruce A. Johnson
Johnson & Associates
PO Box 90698
Austin, TX 78709-0698
Tel. 512-301-9900
Fax 512-301-9915